

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GM PHOTO, LLC,

Plaintiff,

v.

FOCUS CAMERA, INC., MICHAEL  
SILBERSTEIN, and CHASSY KIRZNER,

Defendants.

Civil Action No.: 22-cv-10339 (VSB)

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE**, that upon the accompanying Memorandum of Law, Wilson Elser Moskowitz Edelman & Dicker LLP, attorneys for Defendants FOCUS CAMERA, INC., MICHAEL SILBERSTEIN, and CHASSY KIRZNER, as supported by all pleadings and proceedings had heretofore herein, hereby moves this Court, before the Hon. Vernon S. Broderick at the United States District Court, 40 Foley Square, New York, NY 10007, for an order pursuant to Fed. R. Civ. P. 12(b)(6) dismissing Plaintiff's Amended Complaint, in its entirety, together with such further and other relief as this Court may deem just and proper.

Dated: New York, New York  
March 16, 2023

Respectfully submitted,

**WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER, LLP**

By: 

Stephen J. Barrett  
Jura C. Zibas  
150 East 42nd Street  
New York, New York 10017-5639  
(212) 490-3000  
Jura.Zibas@wilsonelser.com  
Stephen.Barrett@wilsonelser.com  
File No. 12741.00151